

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

FEDERAL TRADE COMMISSION and
PEOPLE OF THE STATE OF NEW YORK, by
ERIC T. SCHNEIDERMAN, Attorney General
of the State of New York,

Plaintiffs,

v.

DECISION AND ORDER
15-CV-112S

4 STAR RESOLUTION, LLC, et al.,

Defendants.

1. On February 10, 2015, this Court granted an ex parte temporary restraining order with an asset freeze, granting equitable relief and appointing a Receiver. (Docket No. 28.) On March 12, 2015, Defendants Travell Thomas and 4 Star Resolution, LLC filed a motion seeking to reopen a portion of 4 Star Resolution, LLC's business under the oversight of the Receiver. (Docket No. 52.) On March 27, 2015, Defendant Marcus Sessum filed a similar motion, also seeking to re-open a portion of 4 Star Resolution, LLC. (Docket No. 87.) Plaintiffs and the Receiver opposed the motions. (Docket Nos. 71, 79, 99.) The Receiver noted that until he had received financial disclosures from the Defendants and completed his own investigation, he would be unable to determine whether he could operate the business profitably in accordance with the terms of the temporary restraining order. (Docket No. 79, p. 7.)

2. On May 22, 2015, the parties filed, and this Court subsequently so-ordered, a Stipulated Preliminary Injunction Order, which substantially replicated the provisions of the temporary restraining order ("TRO") granted by this Court on February 10, 2015, with the exception of those sections (II and III) of the TRO that imposed an asset freeze

with respect to both the individual and corporate Defendants. (Docket Nos. 115, 120.) On June 19, 2015, this Court granted a motion by the Receiver to sell certain of Defendants' business assets, including unused computers, office furniture, and other personalty, and transferring used computers and servers to storage. (Docket No. 135.) On November 23, 2015, this Court entered a Preliminary Injunction Order maintaining the asset freeze. (Docket No. 209.)

3. Because the personalty of 4 Star Resolution, LLC has been liquidated, and because circumstances surrounding 4 Star Resolution, LLC have changed, the motions to reopen the business are either now moot, or this Court no longer has sufficiently current information to resolve them. Accordingly, Defendants' motions to reopen the business are DENIED, without prejudice to re-filing.

IT HEREBY IS ORDERED, that Defendants' motions seeking to reopen 4 Star Resolution, LLC (Docket Nos. 52, 87) are DENIED;

FURTHER, that this order is without prejudice to Defendants' filing of new motions seeking similar relief reflecting current circumstances.

SO ORDERED.

Dated: March 3, 2016
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge